

DOCKET NO.: ISIS-5425

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In Re Application of:**

**Muthiah Manoharan, et al.**

**Application No.: 10/755,166**

**Filing Date: January 9, 2004**

**For: DERIVATIZED OLIGONUCLEOTIDES HAVING IMPROVED UPTAKE  
AND OTHER PROPERTIES**

**Confirmation No.: Not Yet Assigned**

**Group Art Unit: Not Yet Assigned**

**Examiner: Not Yet Assigned**

DATE OF DEPOSIT: *February 13, 2004*

I HEREBY CERTIFY THAT THIS PAPER IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID, ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO THE UNITED STATES PATENT AND TRADEMARK OFFICE, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

TYPED NAME: Elizabeth A. Mc.Loud  
REGISTRATION NO.: 48,491

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**INFORMATION DISCLOSURE STATEMENT**

Pursuant to 37 CFR § 1.56 and in accordance with 37 CFR §§ 1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 CFR § 1.56(b).

- ☒ In accordance with § 1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of

the above identified application as set forth in § 1.491, before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of request for continued examination under § 1.114, no additional fee is required.

- ☐ In accordance with § 1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:
- ☐ Certification in Accordance with § 1.97(e) is attached; or
- ☐ The fee of **\$180.00** as set forth in § 1.17(p) is attached.
- ☐ In accordance with § 1.97(c), this Information Disclosure Statement is being filed after the period set forth in § 1.97(b) above but before the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311, or before an action that otherwise closes prosecution in the application, therefore:
- ☐ Certification in Accordance with § 1.97(e) is attached;
- or
- ☐ The fee of **\$180.00** as set forth in § 1.17(p) is attached.
- ☐ In accordance with § 1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311 but before, or simultaneously with, the payment of the Issue Fee, therefore included are: Certification in Accordance with § 1.97(e); and the submission fee of **\$180.00** as set forth in § 1.17(p).
- ☐ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

- ☒ Copies of references listed on the attached Form PTO-1449 are enclosed herewith
- ☐ Copies of references listed on the attached Form PTO 1449 are not required to be submitted pursuant to the June 30, 2003 recent revisions to 37 CFR § 1.98(a)(2)(i).

## EXCEPT THAT:

- ☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.
- ☒ In accordance with § 1.98(d), copies of the following references listed on the attached Form PTO-1449 are not enclosed herewith because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application(s) for which a claim for priority under 35 U.S.C. § 120 have been made in the instant application:
- ☒ Copies of references **1-75, 79-87 and 89-96** listed on the attached Form PTO-1449 were previously cited by or submitted to the Patent and Trademark Office in prior Application No. **08/211,882**, filed **April 22, 1994** now **U.S. Patent No. 6,153,737**; copies of references **76-78** listed on the attached Form PTO-1449 were previously cited by or submitted to the Patent and Trademark Office in prior Application No. **09/633,659**, filed **August 7, 2000** now **U.S. Patent No. 6,395,492**; copy of reference **88** listed on the attached Form PTO-1449 was previously cited by or submitted to the Patent

**DOCKET NO.: ISIS-5425**

**- 4 -**

**PATENT**


and Trademark Office in prior Application No. **10/073,718**,  
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☐ The relevance of those listed references which are not in the English language is as follows:

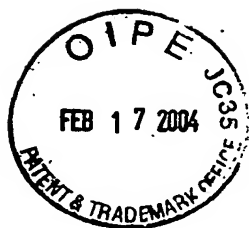
☒ There are no listed references which are not in the English language.

Date: *February 13, 2004*



Emma R. Dailey  
Registration No. 48,491

WOODCOCK WASHBURN LLP  
One Liberty Place - 46th Floor  
Philadelphia, PA 19103  
Telephone: (215) 568-3100  
Facsimile: (215) 568-3439



<b>Form PTO-1449 Modified</b>  List of Patent and Publications Cited by Applicant (Use several sheets if necessary)  U.S. Department of Commerce Patent and Trademark Office		Docket No. ISIS-5425	Application No. 10/755,166
		Applicant Muthiah Manoharan, et al.	
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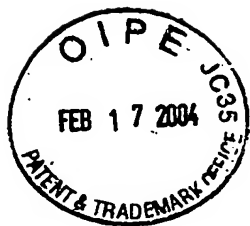


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<b>EXAMINER</b>		<b>DATE CONSIDERED</b>	



<b>Form PTO-1449 Modified</b>  List of Patent and Publications Cited by Applicant (Use several sheets if necessary)  U.S. Department of Commerce Patent and Trademark Office				Docket No. ISIS-5425		Application No. 10/755,166	
				Applicant Muthiah Manoharan, et al.			
				Filing Date January 9, 2004		Group Not Yet Assigned	
				Confirmation No. Not Yet Assigned			
<b>U. S. PATENT DOCUMENTS</b>							
Examiner Initial		Document No.	Date	Name	Class	Subclass	
	79	3,687,808	08/29/82	Merigan, Jr. et al	195	28	
	80	4,910,300	03/20/90	Urdea et al.	536	287	
	81	4,958,013	09/18/90	Letsinger	536	27	
	82	5,578,718	11/26/96	Cook, et al.	536	27.21	
	83	5,108,921	04/28/92	Low, et al.	435	240.1	
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	87	5,466,786	11/14/95	Buhr, et al.	536	26.26	
	88	5,416,203	05/16/95	Letsinger	536	25.34	
<b>EXAMINER</b>				<b>DATE CONSIDERED</b>			



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<b>FOREIGN PATENT DOCUMENTS</b>							
Examiner Initial		Document No.	Date	Country	Translation		
					YES	NO	
	89	251283	07/01/8	EPO		X	
	90	WO 86/02929	22/05/6	PCT		X	
	91	WO 90/10448	20.09.90	PCT		X	
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	93	WO 89/02931	06.04.89	PCT			
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	95	WO 91/00243	10/01/91	PCT		X	
	96	WO 91/14696	11/03/91	PCT			
<b>EXAMINER</b>				<b>DATE CONSIDERED</b>			